

17364 U.S. PTO
101403

PATENT

ATTORNEY DOCKET N°:
EXPRESS MAIL LABEL N°:

EVA-OMNI-B
EV 303 409 883 US

CONTINUATION-IN-PART PATENT APPLICATION TRANSMITTAL LETTER

MAIL STOP PATENT APPLICATION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

16235 U.S. PTO
10/685347
101403

Transmitted herewith for filing is the patent application of:

INVENTOR:	Joseph R. Pace	Joseph A. Pace
	818 North 77 th Street	9714 North 72 nd Street
	Omaha, NE 68114	Omaha, NE 68122
	Citizen of United States	Citizen of United States

Title: **Traffic Warning System**

CERTIFICATION UNDER 37 C.F.R. §1.10

I hereby certify that this Continuation-in-Part Patent Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, October 14, 2003 in an envelope as "Express Mail Post Office to Addressee", Mailing Label N° EV 303 409 883 US, with sufficient postage, addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



ReNea D. Berggren

DATED: October 14, 2003

1. Type of Application

This is a Continuation-In-Part Application.

2. Benefit of Prior U.S. Application(s) (35 U.S.C. § 120)

<u>USSN</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Status</u>	<u>USPN</u>	<u>Issue Date</u>
07/650,303	02/04/91	Pace	Abandoned		
08/601,902	02/15/96	Pace	Abandoned		
08/710,147	09/16/96	Pace	Issued	5,735,492	04/07/98
09/056,201	04/06/98	Pace	Issued	5,954,299	09/21/99
09/061,506	04/17/98	Johnson	Abandoned		
09/084,863	05/26/98	Pace	Issued	6,113,037	09/05/00
09/344,477	06/25/99	Pace, et al.	Abandoned		
09/385,168	08/30/99	Pace	Pending		
09/399,454	09/20/99	Johnson	Pending		
09/448,953	11/24/99	Pace, et al.	Pending		
09/578,940	05/25/00	Pace, et al.	Pending		
10/027,920	12/20/01	Pace, et al.	Pending		
10/099,143	03/15/02	Pace, et al.	Pending		

3. Benefit of Prior U.S. Application(s) (35 U.S.C. § 119)

<u>USPSN</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Status</u>
60/009,857	01/12/96	Pace	Converted
60/276,252	03/15/01	Pace, et al.	Converted
60/281,493	04/04/01	Pace, et al.	Converted
60/424,637	11/07/02	Pace, et al.	Converted

4. Papers Enclosed That Are Required for Filing Date under 37 C.F.R. §1.53(b) (Regular) or 37 C.F.R. §1.153 (Design) Application

Sixty-eight (68) Pages of Specification;
Five (5) Pages of Claims;
One (1) Page of Abstract; and
Thirty-four (34) Sheets of Drawing Figures.

5. Additional Papers Enclosed

Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) is attached.

A copy of a *Petition for One Month Extension* filed on October 14, 2003 in application Serial No. 10/099,143 to establish continuity.

6. Declaration or Oath

Unsigned Declaration and Power of Attorney is attached.

7. Inventorship Statement

The inventorship for all the claims in this application are the same.

8. Language

English.

9. Assignment

None.

10. Certified Copy

None are required.

11. Fee Calculation (37 C.F.R. §1.16)

BASIC FEE

Standard Fee	\$385.00	\$385.00
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EXCESS CLAIM FEE

TOTAL OVER TWENTY	25	-20	0	5	\$9.00	\$45.00
INDEPENDENT OVER THREE	3	-3	0	0	\$43.00	\$0.00
MULTIPLE DEPENDENT					\$145	\$0.00
ASSIGNMENT RECORDATION FEE					\$40.00	\$0.00
TOTAL FILING FEES						\$430.00

12. Small Entity Status-Applicant specifically requests small entity status under 37 C.F.R. §1.27.

13. Request for International - Type Search (37 C.F.R. §1.104(d))

None required.

14. Authorization to Charge Fees

NO FILING FEE IS BEING MADE AT THIS TIME.

This and the Surcharge Required by 37 C.F.R. §1.16(e) May Be Paid Subsequently.

Please direct all correspondence and telephone calls to:

CUSTOMER NO. 23531
SEAN PATRICK SUITER
SUITER • WEST PC LLO
14301 FNB PARKWAY, SUITE 220
OMAHA NE 68154-5299
(402) 496-0300 (TELEPHONE)
(402) 496-0333 (TELECOPIER)

DATED: October 14, 2003.

Respectfully submitted,
Joseph R. Pace et al.,
EVA Signal Corporation,

By 
Chad W. Swantz
Reg. N° 46,329

This Transmittal Ends With This Page.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Joseph R. Pace
Express Mail N^o : EV 303 409 883 US
Filed : October 14, 2003
For : **Traffic Warning System**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST AND CERTIFICATION
UNDER 35 U.S.C. 122(b)(2)(B)(i)**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Dated: October 14, 2003


Chad W. Swantz
Reg. N^o 46,329
CUSTOMER NO. 23531

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Joseph R. Pace, et al.
Serial : 10/099,143
Filed : March 15, 2002
Group Art Unit : 2632
Examiner :
For : TRAFFIC WARNING SYSTEM

COPY

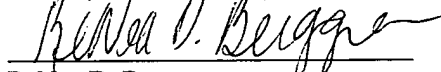
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR A ONE-MONTH EXTENSION OF TIME
PURSUANT TO 37 C.F.R. §1.136(a)**

CERTIFICATE OF MAILING 37 C.F.R. § 1.8

MAILING

☒ deposited with the United States Postal Service
with sufficient postage as first class mail in an
envelope addressed to the Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


ReNea D. Berggren

FACSIMILE

☐ transmitted by facsimile to the Patent and
Trademark Office.

COPY

DATED: October 14, 2003

Applicant hereby requests a one month extension of time for response to the *Office Action* herein dated June 11, 2003. The grant of this *Petition* will extend the time for response from September 11, 2003 to October 11, 2003 (a Saturday for which the following Monday is Columbus Day a Federal Holiday within the District of Columbia).

A Continuation-in-Part Application was filed on October 14, 2003, and extension is needed to establish continuity under 35 U.S.C. §120.

Please charge the extension fee of \$55.00 to Deposit Account N° 19-4882. Please charge any underpayments related to this *Petition* or credit any excess to Deposit Account N° 19-4882. A duplicate copy of this *Petition* is enclosed for accounting purposes only.

COPY

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Please address all correspondence to:

CUSTOMER NO. 23531

Sean Patrick Suiter

SUITER • WEST PC LLO

14301 FNB Parkway, Suite 220

Omaha, NE 68154-5299

(402) 496-0300 (Telephone)

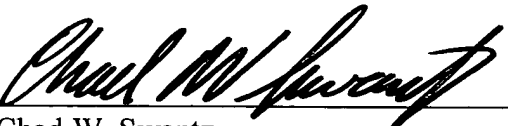
(402) 496-0333 (Telecopier)

DATED: October 14, 2003.

COPY

Respectfully submitted,

Joseph R. Pace, et al.,

By 
Chad W. Swantz
Reg. N° 46,329

COPY